

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In Re:

Misc. No. 12-113

ALEXANDER A. REINERT
Application for Exemption
from PACER Fees

Order Granting Limited Exemption
From PACER Fee Schedule

1. The United States Judiciary's Public Access to Court Electronic Records [PACER] system allows the public to view and copy certain court records for a nominal fee. *See* ELECTRONIC PUBLIC ACCESS FEE SCHEDULE (Eff. Apr. 1, 2013) in accordance with 28 U.S.C. § 1914.

2. The fee schedule cited above provides in pertinent part as follows:

Courts may exempt certain persons or classes of persons from payment of the user access fee. Examples of individuals and groups that a court may consider exempting include: indigents, bankruptcy case trustees, *pro bono* alternative dispute resolution neutrals, Section 501(c)(3) not-for-profit organizations, and individual researchers associated with educational institutions. Courts should not, however, exempt individuals or groups that have the ability to pay the statutorily established access fee. Examples of individuals and groups that a court should not exempt include: local, state or federal government agencies, members of the media, privately paid attorneys or others who have the ability to pay the fee.

3. By letter dated August 15, 2013 ALEXANDER A. REINERT, Associate Professor of Law at Benjamin N. Cardozo School of Law, seeks to renew an exemption from PACER fees previously granted by Order dated June 19, 2012 and expiring June 19, 2013 [Docket Item 2 entered June 20, 2012]. Professor Reinert again seeks exemptions in all divisions

of our jurisdiction for one year, to further his scholarly research “in areas related to pleading rules and the disposition of civil rights cases.”

4. The court FINDS that Professor Reinert is an individual researcher associated with an educational institution.

5. The court FINDS that imposition of the PACER fee will produce an unreasonable burden on Professor Reinert's scholarly research and pursuits.

6. The court FINDS that Professor Reinert's application meets the exemption standards stated in the judiciary's Electronic Public Access Fee Schedule and concludes that his application should be granted.

7. The court ORDERS that Professor Reinert's application for exemption is hereby GRANTED for a period of one year commencing **September 4, 2013** and expiring **September 4, 2014**, or until such earlier time if so ordered.

8. The court ORDERS that this exemption is conditioned upon Professor Reinert's agreement that he or anyone else will not sell for profit the data obtained as a result of his access to PACER information, and any transfer of data obtained as the result of this fee exemption, is prohibited unless expressly authorized by the court.

9. Professor Reinert agrees that this Order is conditioned upon his agreement that the information obtained as a result of this fee exemption will be confined to his own scholarly work. This restriction is not intended to bar him from quoting or referencing information received as a result of a fee exemption in scholarly or other similar work.

10. The court ORDERS that the Clerk of Court forward a copy of this Order to the following people:

PACER Service Center
Post Office Box 780549
San Antonio, Texas 78278

Alexander A. Reinert,
Associate Professor of Law
BENJAMIN N. CARDOZO SCHOOL OF LAW
Jacob Burns Institute for Advanced Legal Studies
Brookdale Center
55 Fifth Avenue
New York, NY 19993-4391

Michel Ishakian, Chief
Public Access and Records Management Division
Administrative Office of the United States Courts
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E., Suite 4-500
Washington, DC 20544


JEROME B. SIMANDLE
Chief U.S. District Judge

DATE: September 4, 2013